

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 282**

**Representatives Miller, J., Hillyer**

**Cosponsors: Representatives McNally, Upchurch, Galonski, Miller, A., Grim,  
Brewer, Somani, Isaacsohn, Brown, Weinstein, Russo, Forhan, Abdullahi, Jarrells,  
Lightbody, Miranda**

---

**A BILL**

To amend section 121.083 and to enact section 1  
4177.01 of the Revised Code to require the 2  
Director of Commerce to establish an indoor mold 3  
program. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 121.083 be amended and section 5  
4177.01 of the Revised Code be enacted to read as follows: 6

**Sec. 121.083.** (A) The superintendent of industrial 7  
compliance in the department of commerce shall do all of the 8  
following: 9

(1) Administer and enforce the general laws of this state 10  
pertaining to buildings, pressure piping, boilers, bedding, 11  
upholstered furniture, and stuffed toys, steam engineering, 12  
elevators, plumbing, licensed occupations regulated by the 13  
department, and travel agents, as they apply to plans review, 14  
inspection, code enforcement, testing, licensing, registration, 15  
and certification. 16

(2) Exercise the powers and perform the duties delegated 17  
to the superintendent by the director of commerce under Chapters 18  
4109., 4111., ~~and 4115.~~, and 4177. of the Revised Code. 19

(3) Collect and collate statistics as are necessary. 20

(4) Examine and license persons who desire to act as steam 21  
engineers, to operate steam boilers, and to act as inspectors of 22  
steam boilers, provide for the scope, conduct, and time of such 23  
examinations, provide for, regulate, and enforce the renewal and 24  
revocation of such licenses, inspect and examine steam boilers 25  
and make, publish, and enforce rules and orders for the 26  
construction, installation, inspection, and operation of steam 27  
boilers, and do, require, and enforce all things necessary to 28  
make such examination, inspection, and requirement efficient. 29

(5) Rent and furnish offices as needed in cities in this 30  
state for the conduct of its affairs. 31

(6) Oversee a chief of construction and compliance, a 32  
chief of operations and maintenance, a chief of licensing and 33  
certification, a chief of worker protection, and other designees 34  
appointed by the director to perform the duties described in 35  
this section. 36

(7) Enforce the rules the board of building standards 37  
adopts pursuant to division (A)(2) of section 4104.43 of the 38  
Revised Code under the circumstances described in division (D) 39  
of that section. 40

(8) Accept submissions, establish a fee for submissions, 41  
and review submissions of certified welding and brazing 42  
procedure specifications, procedure qualification records, and 43  
performance qualification records for building services piping 44  
as required by section 4104.44 of the Revised Code. 45

(B) The superintendent may enter into a contract with a municipal corporation, township, or county building department certified by the board of building standards pursuant to division (E) of section 3781.10 of the Revised Code, or a municipal or county health district, to do any of the following on behalf of the building department or health district:

(1) Exercise enforcement authority pursuant to section 3781.03 of the Revised Code;

(2) Accept and approve plans and specifications, and make inspections, pursuant to section 3791.04 of the Revised Code;

(3) Enforce the rules adopted pursuant to division (A) (2) of section 4104.43 of the Revised Code.

**Sec. 4177.01.** (A) As used in this section, "mold" means microscopic organisms or fungi that can grow in damp conditions in the interior of a building, including important mycotoxin-producing organisms, such as *stachybotrys chartarum*, *chaetomium globosum*, and *aspergillus versicolor*.

(B) The director of commerce shall establish a mold information and awareness program to assist the public in understanding the threat of mold in buildings and the importance of the proper removal of that mold. As part of the program, the director shall do both of the following:

(1) Every five years, review technology or treatment techniques for mold identification and remediation that provide additional protections to public health and safety. The review shall be performed in accordance with rules adopted under this section and include an examination of any new scientific evidence that indicates that mold may present a greater health risk to the public than previously determined.

(2) Establish a public awareness campaign on the dangers 75  
of mold in accordance with rules adopted under this section. As 76  
part of the campaign, the director shall disseminate information 77  
via brochures and the department of commerce's web site. 78

(C) The director shall adopt rules in accordance with 79  
Chapter 119. of the Revised Code establishing all of the 80  
following: 81

(1) Requirements and procedures for the review required 82  
under division (B)(1) of this section; 83

(2) Requirements and procedures for the public awareness 84  
campaign established under division (B)(2) of this section. The 85  
rules shall ensure that the campaign educates the public on the 86  
health effects of mold in damp and water-damaged buildings, 87  
methods of identification and remediation of mold, and contact 88  
information for organizations or government agencies that can 89  
assist the public with their concerns. 90

(3) Any other procedures or requirements necessary to 91  
implement and administer this section. 92

(D) Notwithstanding any provision of section 121.95 of the 93  
Revised Code to the contrary, a regulatory restriction contained 94  
in a rule adopted under division (C) of this section is not 95  
subject to sections 121.95 to 121.953 of the Revised Code. 96

**Section 2.** That existing section 121.083 of the Revised 97  
Code is hereby repealed. 98

**Section 3.** (A) As used in this section, "mold" has the 99  
same meaning as in section 3723.30 of the Revised Code. 100

(B) The Department of Commerce shall study any adverse 101  
effects to humans from exposure to mold in damp and water- 102

damaged buildings. The Department shall consult with medical 103  
research institutions and organizations with expertise on the 104  
adverse health effects from exposure to mold. 105

(C) Not later than one year after the effective date of 106  
this section, the Department shall submit its findings to the 107  
General Assembly. 108